



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

JUL 11 2001

DOT-E 9034
(TENTH REVISION)

EXPIRATION DATE: February 28, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Praxair, Inc.
Danbury, CT

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

- a. This exemption authorizes the transportation in commerce of certain gases or gas mixtures in DOT specification 3AL cylinders subject to the limitations and special requirements of paragraph 7. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
- b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.302, § 173.304, and § 175.3 in that DOT specification 3AL cylinders are not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Praxair Distribution dated April 27, 2001 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Compressed or liquefied gases, flammable, n.o.s.	2.1	UN1954	N/A
Compressed gas, n.o.s.	2.2	UN1956	N/A
Insecticide gases, n.o.s. (carbon dioxide, petroleum distillate)	2.2	UN1968	N/A
Insecticide gases, liquified, flammable, n.o.s.	2.1	UN3354	N/A
Liquefied gas, flammable, n.o.s.	2.1	UN3161	N/A
Liquefied gas, n.o.s.	2.2	UN3163	N/A

7. SAFETY CONTROL MEASURES:

PACKAGING - Packaging prescribed is Specification DOT 3AL aluminum cylinder. Maximum filling density must be such as to prevent the cylinder from being liquid full at or below 130°F.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. Transportation of Division 2.1(flammable gases) are not authorized aboard aircraft unless specifically authorized in the Hazardous Materials Table (§ 172.101).

d. Transportation of oxygen is only authorized when in accordance with § 172.102(c)(2) Special Provision A52 and §§ 175.85(h) and (i).

9. MODES OF TRANSPORTATION AUTHORIZED:

a. Non-flammable, non-poisonous compressed gases (Division 2.2) may be transported by motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger aircraft.

b. Flammable gases (Division 2.1) may be transported by motor vehicle, rail freight, and cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel, aircraft or motor vehicle used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

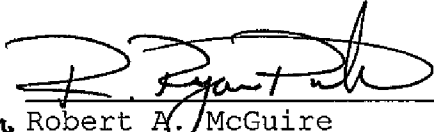
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in

writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUL 11 2001

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: KFW

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Continuation of DOT-E 9034 (10th Rev.) APPENDIX A

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Airgas Management, Inc. Cheyenne, WY	Mar 11, 2001	Jul 11, 2001	Feb 28, 2003
Air Products and Chemicals, Inc. Allentown, PA	Jul 5, 2001	JUL 24 2001	Feb 28, 2003
BOY Gases Riverton, NJ	Feb 23, 2001	Mar 14, 2001	Feb 28, 2003
Matheson Gas Products East Rutherford, NJ	Apr 23, 2001	Jul 11, 2001	Feb 28, 2003
Praxair Distribution Southeast, LLC Jacksonville, FL	May 30, 2001	Jul 11, 2001	Feb 28, 2003
Praxair Distribution, Inc. Danbury, CT	Apr 27, 2001	Jul 11, 2001	Feb 28, 2003
Voltaix, Inc. North Branch, NJ	Apr 20, 2001	Jul 11, 2001	Feb 28, 2003

for Ann Mazzullo
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety